

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

IN RE: WILLIAM JAMES BROOKS, JR., { CHAPTER 13
{
{
DEBTOR { CASE NO. A23-59140-SMS
{
{ JUDGE SIGLER

OBJECTION TO CONFIRMATION

COMES NOW K. EDWARD SAFIR, CHAPTER 13 TRUSTEE, herein, and objects to Confirmation of the plan for the following reasons:

1. The Debtor's payments under the proposed plan are not current.
2. The Debtor has not filed copies of all payment advices or other evidence of payments received within sixty (60) days before the date of the filing of the petition as required by 11 U.S.C. §521(a)(1)(B)(iv) and Fed. R. Bankr. P. 1007(b)(1)(E).
3. The box checked in Section 4.4 of the proposed plan appears to be inaccurate.
4. Tax escrow slips have not been submitted, to reflect a tax withholding obligation of \$60.00 per month; thereby, failing to substantiate the funding of post-petition obligations, 11 U.S.C. Section 1325(a)(6).
5. The Chapter 13 Plan is not feasible as the sum of the equal monthly payments to creditors is greater than the monthly plan payment. 11 U.S.C. § 1325(a)(6).

WHEREFORE, the Trustee moves the Court to inquire into the above objections, deny Confirmation of this Debtor's (s') Plan and to dismiss the case; or, in the alternative, convert the case to one under Chapter 7.

/s/
Sonya Buckley Gordon, Attorney
for Chapter 13 Trustee
GA Bar No. 140987

K. Edward Safir, Chapter 13 Trustee
285 Peachtree Center Ave., NE
Suite 1600
Atlanta, GA 30303
(404) 525-1110
sonyab@atlch13tt.com

A23-59140-SMS

CERTIFICATE OF SERVICE

I hereby certify that on this day I electronically filed the foregoing pleading with the Clerk of Court using the CM/ECF system which will automatically send an e-mail notification of such filing to the parties or attorneys of record. I have also on this day caused a copy of the pleading to be placed in the first-class United States mail, postage prepaid, addressed to the following recipients not participating in the CM/ECF system as follows:

WILLIAM JAMES BROOKS, JR.
4995 FOX CREEK DRIVE
MARIETTA, GA 30062

Respectfully submitted,

This 8th day of November, 2023

_____/s/
Sonya Buckley Gordon, Attorney
For Chapter 13 Trustee
GA Bar No. 140987

K. Edward Safir, Chapter 13 Trustee
285 Peachtree Center Ave., NE
Suite 1600
Atlanta, GA 30303
(404) 525-1110
sonyab@atlch13tt.com